

Notice of Allowability**Application No.**

10/816,615

Applicant(s)

BANERJEE ET AL.

Examiner

Michael J. Yigdal

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's submission filed on June 9, 2008.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20081024.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Michael J. Yigdal/
Examiner, Art Unit 2192

DETAILED ACTION

1. This Office action is responsive to Applicant's submission filed on June 9, 2008. Claims 1-25 are pending.

Response to Amendment

2. The objections to the specification and claims are withdrawn in view of Applicant's amendments.
3. The rejection of claims 1, 2, 4-14 and 16-25 under 35 U.S.C. § 102(b) is withdrawn in view of Applicant's amendments.
4. The rejection of claims 3 and 15 under 35 U.S.C. § 103(a) is withdrawn in view of Applicant's amendments.

Response to Arguments

5. Applicant's arguments have been fully considered and are persuasive. The rejections of the claims have been withdrawn as noted above.

Examiner's Amendment

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Karl Kenna (Reg. No. 45,445) on October 23, 2008.

7. The claims are amended, as presented below, to address potential issues of non-statutory subject matter under 35 U.S.C. § 101 and indefiniteness under 35 U.S.C. § 112, second paragraph.

IN THE CLAIMS

Please amend claims 1-3, 6, 8, 10, 11 and 12-25 as follows:

1. (Currently Amended)

after line 1, please insert a new line --a computer including a processor;--.

2. (Currently Amended) The system of claim 1 wherein changes to the software code between ~~said~~ a first version of the software code and ~~said~~ a second version of the software code are identified by change label.

3. (Currently Amended) The system of claim 1 wherein changes to the software code between said a first version of the software code and said a second version of the software code are identified by modification date.

6. (Currently Amended)

at line 2, please replace “SCM” with --source code management (SCM)--.

8. (Currently Amended)

at line 1, please replace “test interface” with --system--; and

at line 1, please replace “TER” with --test execution and reporting (TER)--.

10. (Currently Amended)

at line 1, please replace “test interface” with --system--.

11. (Currently Amended)

at line 1, please replace “claim 8” with --claim 10--.

12. (Currently Amended)

after line 1, please insert a new line --a computer including a processor--.

13. (Currently Amended)

at line 1, please insert --performed on a computer-- after “analysis”;

at line 3, please replace “system” with --framework--; and

at line 17, please replace “the failure-to-change” with --a failure-to-change--.

14. (Currently Amended) The ~~system~~ method of claim 13 wherein changes to the software code between ~~said a~~ first version of the software code and ~~said a~~ second version of the software code are identified by change label.

15. (Currently Amended) The ~~system~~ method of claim 13 wherein changes to the software code between ~~said a~~ first version of the software code and ~~said a~~ second version of the software code are identified by modification date.

16. (Currently Amended)

at line 1, please replace “system” with --method--; and

at lines 2-3, please delete “by said bug inspection analyzer”.

17. (Currently Amended)

at line 1, please replace “system” with --method--.

18. (Currently Amended)

at line 1, please replace “system” with --method--; and

at line 2, please replace “SCM” with --source code management (SCM)--.

19. (Currently Amended) The ~~system~~ method of claim 18 wherein the ~~system~~ framework includes said SCM system.

20. (Currently Amended) The ~~system~~ method of claim 13 wherein the ~~test interface~~ framework includes an interface to a ~~TER~~ test execution and reporting (TER) system.

21. (Currently Amended) The ~~system~~ method of claim 20 wherein the ~~system~~ framework includes said TER system.

22. (Currently Amended)

at line 1, please replace “system” with --method--; and

at line 1, please replace “test interface” with --framework--.

23. (Currently Amended) The ~~system~~ method of ~~claim 20~~ claim 22 wherein the ~~system~~ framework includes said code testing system.

24. (Currently Amended)

at line 1, please insert --performed on a computer-- after “analysis”;

at line 3, please replace “system” with --framework--; and

at line 14, please replace “the specified” with --a specified--.

25. (Currently Amended)

at line 4, please replace “system” with --framework--; and

at line 18, please replace “the failure-to-change” with --a failure-to-change--.

Allowable Subject Matter

8. Claims 1-25 are allowed.
9. The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or reasonably suggest, in the arrangements recited in independent claims 1, 12, 13, 24 and 25, a plug-in framework including a plurality of software interfaces that allow software test tools to be plugged into the system in a tool-agnostic manner, and determining, for a specified interval of time or a specified set of relative changes to source code, the intersection of (1) information from a code coverage tool identifying which tests failed and which source files are exercised by the tests and (2) information from a source code management tool identifying the changes to the source code, such as reflected in Applicant's arguments (see Applicant's remarks, pages 11-14).

10. Any comments that Applicant considers necessary must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Yigdall whose telephone number is 571-272-3707. The examiner can normally be reached on Monday to Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael J. Yigdall
Examiner
Art Unit 2192

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